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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,496	11/10/1999	ATSUSHI INOUE	040301/0577	8061

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EXAMINER

NGUYEN, PHUOC H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/437,496

Applicant(s)

INOUE ET AL.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4,6-14,16-17, and 19 rejected under 35 U.S.C. 102(e) as being anticipated by Wicks et al. U.S. Patent 5,796,394.

3. Referring to claims 1,17, and 19, Wicks reference disclose a network connection unit configured to establish a connection to a computer network (Fig. 1; and col. 5, lines 10-13); a local network connection unit configured to establish a connection to a local network different from the computer network, the local network being a network locally defined among the portable terminal device and at least one other computer device (Fig. 1); and a processing unit (CPU inside mobile 110) configured to obtain a prescribed information regarding the computer network (col. 5, lines 5-19) that is necessary or utilizable in operating an application program to be operated on the portable terminal device by being connected to the computer network, from said at least one other computer device connected to the portable terminal device via the local network (Fig. 1, mobile 100 and PIC) through the local network connection unit, carry out a prescribed processing for the application program according to at least a part of the prescribed information, and execute the application program by using a result of the prescribed processing

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and being connected to the computer network through the network connection unit (Fig. 1; col. 5, lines 39-47).

4. Referring to claim 2, Wicks reference disclose the processing unit carries out the prescribed processing to make a prescribed setup regarding the computer network (col. 3, lines 52-67).

5. Referring to claim 3, Wicks reference disclose the processing unit makes the prescribed setup by storing said at least a part of the prescribed information into a prescribed memory region for the application program, either as obtained from said at least one other computer device or by converting said at least a part of the prescribed information into a format matching with the application program and/or a user interface of the portable terminal device (col. 2, lines 59 through col. 3, lines 13).

6. Referring to claim 4, Wicks reference disclose the processing unit obtains-the prescribed information related to a specified type of application program that exists in said at least one other computer device (col. 7, lines 54 through col. 8, lines 20).

7. Referring to claim 6, Wicks reference disclose the local network enables data exchanges between the portable terminal device and said at least one other computer device by using a wireless LAN (Local Area Network), a point-to-point wireless device, or an infrared as a medium (col. 4, lines 63-67).

8. Referring to claim 7, Wicks reference disclose the processing unit carries out data exchanges on the local network only with a computer device that is authenticated by a prescribed mutual authentication procedure (col. 11, lines 17-32).

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9. Referring to claim 8, Wicks reference disclose the processing unit carries out a procedure for obtaining the prescribed information for each one of a plurality of application programs installed on the portable terminal device, at a timing of activation of the portable terminal device (col. 10, lines 1-24).

10. Referring to claim 9, Wicks reference disclose the processing unit carries out a procedure for obtaining the prescribed information for the application program at a timing of activation of the application program (col. 10, lines 1-24).

11. Referring to claim 10, Wicks reference disclose the processing unit carries out a procedure for transferring the prescribed information obtained from a first computer device via the local network to a second computer connected to the local network (col. 9, lines 36-44).

12. Referring to claim 11, Wicks reference disclose the processing unit carries out a procedure for transferring the prescribed information obtained via the local network to one or a plurality of computer devices connected to the local network (col. 9, lines 36-44).

13. Referring to claim 12, Wicks reference disclose the network connection unit carries out communications via the computer network through a radio base station (Fig. 1; col. 9, lines 36-44).

14. Referring to claim 13, Wicks reference disclose the prescribed information is setup data or input data for the application program (col. 12, lines 5-24).

15. Referring to claim 14, Wicks reference disclose a user interface for enabling user input into the portable terminal device, wherein the processing unit carries out the prescribed processing to enter the setup data or the input data into the portable terminal device in a form

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utilizable by the application program, without using the user interface (col. 5, lines 37-52; and col. 8, lines 1-9).

16. Referring to claim 16, Wicks reference disclose the processing unit receives from the portable terminal device via the local network a first request for obtaining the identification information, transmits a first reply containing the identification information to the portable terminal device via the local network in response to the first request, receives from the portable terminal device via the local network a second request for obtaining the prescribed information, and transmits a second reply containing the prescribed information to the portable terminal device via the local network in response to the second request (col. 8, lines 37 through col. 9, lines 49).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 5, 15, 18, and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Wicks in view of Moore et al. U.S. Patent 6,112,244.

Wicks reference disclose a local network connection unit configured to establish a connection to a local network that is locally defined among the computer device and a portable terminal device (Fig. 1; col. 4, lines 36 through col. 5, lines 64); however, Wicks fail to teach us that identifying a specified type of application program that exists in the computer device, or a prescribed information related to said specified type of application program, in response to a

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request received from the portable terminal device via the local network through the local network connection unit.

Moore reference disclose a processing unit configured to return a reply containing an identification information for identifying a specified type of application program that exists in the computer device, or a prescribed information related to said specified type of application program, in response to a request received from the portable terminal device via the local network through the local network connection unit (col. 4, last paragraph through col. 5, lines 5).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Moore's teaching into Wicks's method to identify the type of application program that exist in the computer device, because the application identifier can be use to decompressing the message with the right format.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Smith U.S. Patent 5,930,472

Yamagishi U.S. Patent 5,838,926

Lincke et al. U.S. Patent 6,397,259

Brownrigg et al. U.S. Patent 6,249,516

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315.

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The examiner can normally be reached on Mon -Thu (7AM-4:30PM) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen
Examiner
Art Unit 2143

February 19, 2003


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100